

# ATTACHMENT 39

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE: DA VINCI SURGICAL  
ROBOT ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO: Lead Case No. 3:21-cv-03825-VC  
ALL CASES

SURGICAL INSTRUMENT SERVICE  
COMPANY, INC.,

Plaintiff,

vs.

INTUITIVE SURGICAL, INC.,

Defendant.

REMOTE VIDEOTAPED DEPOSITION OF  
T. KIM PARNELL, Ph.D.  
Friday, March 10, 2023  
Volume I

Reported by:  
NADIA NEWHART  
CSR No. 8714  
Job No. 5783314  
PAGES 1 - 251

1       only associated with the -- the assessment of the  
2       cost associated with the Intuitive refurbishment or  
3       repair process and how they would do it.

4             They costed it on the basis of -- they  
5       appeared to at least cost it out on the basis of       04:46:21  
6       performing the refurbishment in the United States.

7       And I would go on to say they -- their refurbishment  
8       program included a lot of parts replacement that is  
9       not a part of the Rebotix process or Restore or  
10      anything that was contemplated by Iconocare or any       04:46:40  
11      of the others.

12            So it was a very different process. It was a  
13      more costly process, and they decided it wasn't cost  
14      effective. I can understand that.

15           Q    Let's look at the last appearance of the term       04:46:52  
16      "quality." This is page 128, paragraph 286.

17           A    Page 128, 286. Okay. Yes.

18           Q    And here you discuss how Intuitive performs  
19      analyses of RMA data as part of its standard quality  
20      control activities.                                       04:47:14

21            So that's also not what you were discussing  
22      before the break, correct?

23           A    That's right. What I was discussing before  
24      the break was questions about what they -- what  
25      Intuitive does or might do with regard to quality       04:47:25

1 I, the undersigned, a Certified Shorthand  
2 Reporter of the State of California, do hereby  
3 certify:

4 That the foregoing proceedings were taken  
5 before me at the time and place herein set forth;  
6 that any witnesses in the foregoing proceedings,  
7 prior to testifying, were administered an oath; that  
8 a record of the proceedings was made by me using  
9 machine shorthand which was thereafter transcribed  
10 under my direction; that the foregoing transcript is  
11 a true record of the testimony given.

12 Further, that if the foregoing pertains to the  
13 original transcript of a deposition in a Federal  
14 Case, before completion of the proceedings, review  
15 of the transcript [X] was [ ] was not requested.

16 I further certify that I am neither financially  
17 interested in the action nor a relative or employee  
18 of any attorney or any party to this action.

19 IN WITNESS WHEREOF, I have this date subscribed  
20 my name.

21  
22 Dated: March 14, 2023

23   
24

NADIA NEWHART

25 CSR NO. 8714

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